IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 9TH MARCH 2007 / 18TH PHALGUNA 1928

WP(C).No. 30306 of 2006(G)

PETITIONER:

PREMDEV P.K.,S/O.LATE KAYYATH DAMODARAN,
KAYYATH HOUSE, KAYYATH DAMODARAN ROAD,
SOUTH BAZAAR, KANNUR-2.

BY ADV. SRI.N.RAGHURAJ.

RESPONDENTS:

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1. **KERALA STATE ELECTRICITY BOARD,**
   VYDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM-
   REPRESENTED BY ITS SECRETARY.

2. **THE EXECUTIVE ENGINEER,**
   KERALA STATE ELECTRICITY BOARD, KANNUR.

3. **THE TAHSILDAR,**
   KANNUR.

4. **VISITATION GENERALISE,**
   PERIMPARIKAL AMSOM, NATTASSERRY DESOM,
   KOTTAYAM TALUK, KOTTAYAM DISTRICT -
   REPRESENTED BY ITS MOTHER GENERAL.

5. **BHARAT SANCHAR NIGAM LTD. (BSNL),**
   KANNUR, REPRESENTED BY ITS GENERAL MANAGER.

6. THE AGRICULTURAL INCOME TAX & SALES TAX OFFICER, KANNUR.

BY ADV. SRI.MATHEWS K.PHILIP,SC, BSNL, FOR R5,
SRI.N.M.MADHU FOR R4,
SMT.C.S.RAJANI,
SRI. JOSE J. MATHEICKEL, SC, KSEB,
GOVT. PLEADER SMT. N. SUDHADEVI FOR R3.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.30306/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE SALE DEED NO. 2867/97 EXECUTED BY THE PETITIONER IN FAVOUR OF THE R.4.

EXT.P.2: COPY OF THE WRITTEN STATEMENT FILED BY THE SPECIAL DY. TAHSILDAR, BEFORE THE COURT OF THE MUNSIFF, KANNUR.

EXT.P.3: COPY OF THE NOTICE NO. D4/14118/AIT DTD. 11/10/2006 ISSUED BY THE R.2.

EXT.P.4: COPY OF THE MEMO DTD. 30/10/2006 FILED BY THE COUSEL FOR THE PLAINTIFF BEFORE THE PRINCIPAL MUNSIFF, KANNUR.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 30306 OF 2006-G

JUDGMENT

The petitioner has approached this Court, challenging Ext.P3 notice, proposing to sell his property on 24.11.2006. The said notice did not contain necessary details required as per the statute. So, this Court granted an interim order on 22.11.2006, subject to the petitioner paying Rs.50,000/- before 11 a.m. On 24.11.2006. The petitioner submits, he has already paid the amount. The learned counsel for the petitioner submits that the petitioner is ready to clear the balance amount within six weeks from today. The petitioner is granted six weeks' time to clear the dues. If he does not clear the amount within the said time limit, the 3rd respondent can proceed with the sale. But, the said respondent shall issue a fresh notice containing necessary particulars regarding the liability of the petitioner under various heads etc.

The writ petition is disposed of as above.

9th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/